

Daniel M. Hansen, Esq. (NSB #13886)  
dhansen@gibbsgiden.com  
Madison G. Wedderspoon, Esq. (NSB #16648)  
mwedderspoon@gibbsgiden.com  
**GIBBS GIDEN LOCHER TURNER  
SENET & WITTBRODT LLP  
7251 W. Lake Mead Blvd., Ste. 450  
Las Vegas, Nevada 89128  
(702) 836-9800**

Attnorneys for Defendant  
STUART C. IRBY COMPANY, LLC.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**STUART C. IRBY COMPANY, LLC,**

Plaintiff,

V.

COMMNV, LLC; ARIC HORNING; UPRISE FIBER, LLC; UPRISE, LLC; and GREAT MIDWEST INSURANCE COMPANY.

#### Defendants.

Case Number  
2:24-cv-01889

**PLAINTIFF STUART C. IRBY COMPANY,  
LLC'S MOTION TO SEAL EXHIBIT ONE  
OF PLAINTIFF'S COMPLAINT**

Plaintiff Stuart C. Irby Company, LLC (“Plaintiff”), by and through its counsel or record, Gibbs Giden Locher Turner Senet & Wittbrodt, LLP, respectfully files this Motion to Seal Exhibit One of Plaintiff’s Complaint (the “Motion”). This Motion is based on the following Memorandum of Points and Authorities, the papers and pleadings on file in this case, and any oral arguments this Court may wish to entertain.

## **MEMORANDUM OF POINTS AND AUTHORITIES**

**I. RELIEF REQUESTED**

By this Motion, Plaintiff seeks entry of an order, substantially in the form attached hereto as Exhibit “1” (the “Proposed Order”), authorizing Plaintiff to seal Exhibit 1 of the Complaint in order to seal personally identifiable information of an individual, specifically the social security number

1 of a party to this case.

2 **II. BACKGROUND**

3 On October 9, 2024, Plaintiff filed a Complaint against CommNV, LLC, Aric Horning,  
4 Uprise, LLC, and Great Midwest Insurance Company. The Complaint is accompanied by six  
5 exhibits, including an “Application for Credit and Billing Information” as Exhibit “1”. At the time  
6 of filing the Complaint, Plaintiff inadvertently included an unredacted version of the Application for  
7 Credit and Billing Information that includes a tax identification number, an account number, and the  
8 social security number of the signatory of the Personal Guaranty incorporated into the Application.  
9 As such, Plaintiff seeks to seal Exhibit “1” of the Complaint in order to keep this information from  
10 public record.

11 **III. BASIS FOR RELIEF**

12 Local Rule IC 6-1 for the United States District Court, District of Nevada states in relevant  
13 part:

14 (a) Parties must refrain from including—or must partially redact, where inclusion is  
15 necessary—the following personal-data identifiers from all documents filed with  
16 the court, including exhibits, whether filed electronically or in paper, unless the  
court orders otherwise:

17 (1) Social Security Numbers. If an individual’s Social Security number must  
be included, only the last four digits of that number should be used.

18 (2) Names of Minor Children. If the involvement of a minor child must be  
mentioned, only the initials of that child should be used.

19 (3) Dates of Birth. If an individual’s date of birth must be included, only the  
year should be used.

20 (4) Financial Account Numbers. If financial account numbers must be  
included, only the last four digits of these numbers should be used.

21 (5) Home Addresses. If a home address must be included, only the city and  
state should be listed.

22 (6) Tax Identification Number. If a tax identification number must be used,  
only the last four digits of that number should be used.

23 Local Rule IC 6-1(b) also provides that a party may file an unredacted copy under seal.

24 Local Rule IA 10-5 permits documents to be filed under seal and remain sealed after  
25 consideration of a Motion to Seal.

1       The tax identification number, account number, and social security number in the Application  
2 for Credit and Billing Information, are personal-data identifiers that are intended to be protected  
3 under LR IC 6-1. Therefore, good cause exists for Exhibit "1" of the Complaint to be sealed, and  
4 Plaintiff respectfully requests that the Court issue an order to seal Exhibit "1" of the Complaint.

5 **IV. CERTIFICATION OF SERVICE**

6 Pursuant to LR IA 10-5(c), Plaintiff has served opposing attorneys and pro se parties with the  
7 documents that they are requesting be sealed so that they are kept from the public record.

8 **V. CONCLUSION**

9 Based on the foregoing, Plaintiff respectfully requests that this Motion to Seal Exhibit "1" to  
10 Plaintiff's Complaint be granted.

11 .

12 Respectfully submitted,

13 GIBBS GIDEN LOCHER TURNER SENET  
14 & WITTBRODT LLP

15 */s/ Daniel M. Hansen, Esq.*

16 Daniel M. Hansen, Esq.  
17 Nevada Bar #13886  
18 Madison G. Wedderspoon, Esq.  
19 Nevada State Bar #16648  
20 *Attorneys for Stuart C. Irby Company,*  
21 *LLC*

# **EXHIBIT “1”**

Daniel M. Hansen, Esq. (NSB #13886)  
dhansen@gibbsgiden.com  
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COMMNV, LLC; ARIC HORNING; UPRISE FIBER, LLC; UPRISE, LLC; and GREAT MIDWEST INSURANCE COMPANY.

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Case Number  
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**ORDER GRANTING PLAINTIFF STUART  
C. IRBY COMPANY, LLC'S MOTION TO  
SEAL EXHIBIT ONE OF PLAINTIFF'S  
COMPLAINT**

Upon the motion of Plaintiff Stuart C. Irby Company, LLC (“Plaintiff”), for an order to seal exhibit one of Plaintiff’s Complaint; this Court having reviewed the Motion, and having determined that there is good cause to grant the relief requested in the Motion consistent with LR IC 6-1 and LR IA 10-5; therefore:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED as set forth herein.
  2. Exhibit “1” of Plaintiff’s Complaint which contains personal-data identifiers, shall be sealed.
  3. This Order shall be effective and enforceable immediately upon entry hereof.

4. Plaintiff is authorized to take such actions and to execute such documents as may be necessary to implement the relief granted by this Order.

Dated: \_\_\_\_\_, 20\_\_\_\_

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## United States District Judge